

RECEIVED
NOV 25 1966

Department of Reclamation

Proof of Publication

The Post-Register

State of Idaho,
County of Bonneville } ss.

I, William P. Beard, first being duly sworn, depose and say: That I am the
Foreman of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily,
except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls
Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho
Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931,
and each of said newspapers having been published continuously and uninterruptedly, prior to consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Post-Register for four consecutive weeks, first publication having been made
on the 21st day of January, 1966, last publication
having been made on the 11th day of February, 1966, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of
publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 22nd day of November, 1966

William P. Beard

Kare Holm
Notary Public

My commission expires April 5th, 1967

NOTICE OF PROOF OF COMPLETION
OF WORKS & APPLICATION OF
WATER TO BENEFICIAL USE
NOTICE IS HEREBY GIVEN that
at 3:00 P.M., on the 21st day of
March 1966, at Idaho Falls, County
of Bonneville, State of Idaho, before
Eugene L. Bush, Notary Public, at
(address) 490 Memorial Drive, proof
will be submitted of the completion of
works for the diversion of one cubic
feet per second of the waters of Spring
via Tag Alder Creek, and of the ap-
plication to beneficial use of said
water, in accordance with the terms
and conditions of Permit No. 30759,
heretofore issued by the Department of
Reclamation of the State of Idaho.
1. The name and postoffice address
of the person or corporation said per-
mit is: Donald K. Rose, P. O. Box
107, Idaho Falls, Idaho.
2. Said works of diversion will be
fully completed on the date set for
such completion and the amount of
water which said works are capable
of conveying to the place of use is
one cubic feet per second.
3. The use to which said water has
been applied is Domestic purposes,
and the amount applied to beneficial
use is one cubic feet per second.
4. The point of diversion of said
water is S $\frac{1}{4}$ Corner at Section 18,
Township 1 South, Range 45 E.B.M.,
Bonneville County, Idaho.
5. The place where said water is
used is the NW $\frac{1}{4}$ of Section 17, and
the NE $\frac{1}{4}$ of Section 18, both in Town-
ship 1 South, Range 45 E.B.M.,
Bonneville County, Idaho.
6. The date of priority which said
user is prepared to establish is
September 21, 1962.
CARL E. TAPPAN
State Reclamation Engineer
Published: Jan. 21, 28, Feb. 4, 11, 1966

30759

R45E

Place of Use

110' RSI of R45E Home

USE

PALEMITY

SUMMER

HOME

AREA

1 1/4" x 1 1/4" mil GTP

3000" GTP

1 1/4" 19'

18'

PIPELINE

1200 Steel
TANK

70' x 6" Spiral punched perforated CMP

50' x 6" spiral
punched perforated CMP

SPRING
PD.

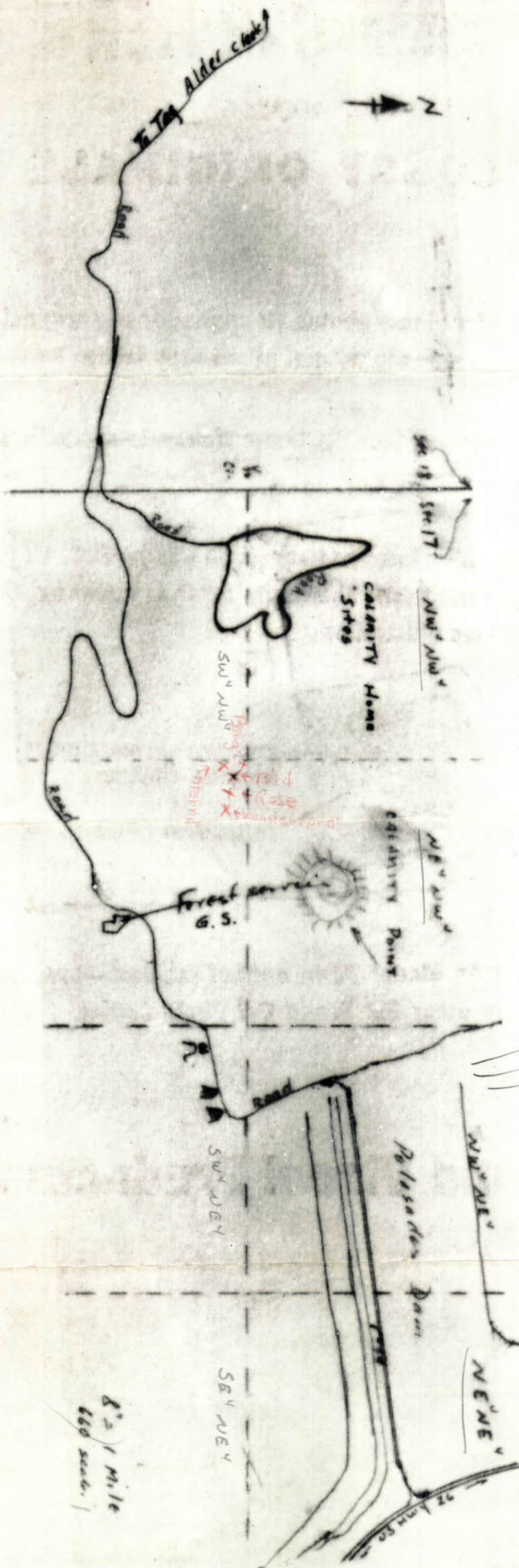
Domestic Use

Allow $Q = .08 \text{ cfs or } 4 \text{ inches}$

RECEIVED

NOV 17 1965

Department of Reclamation

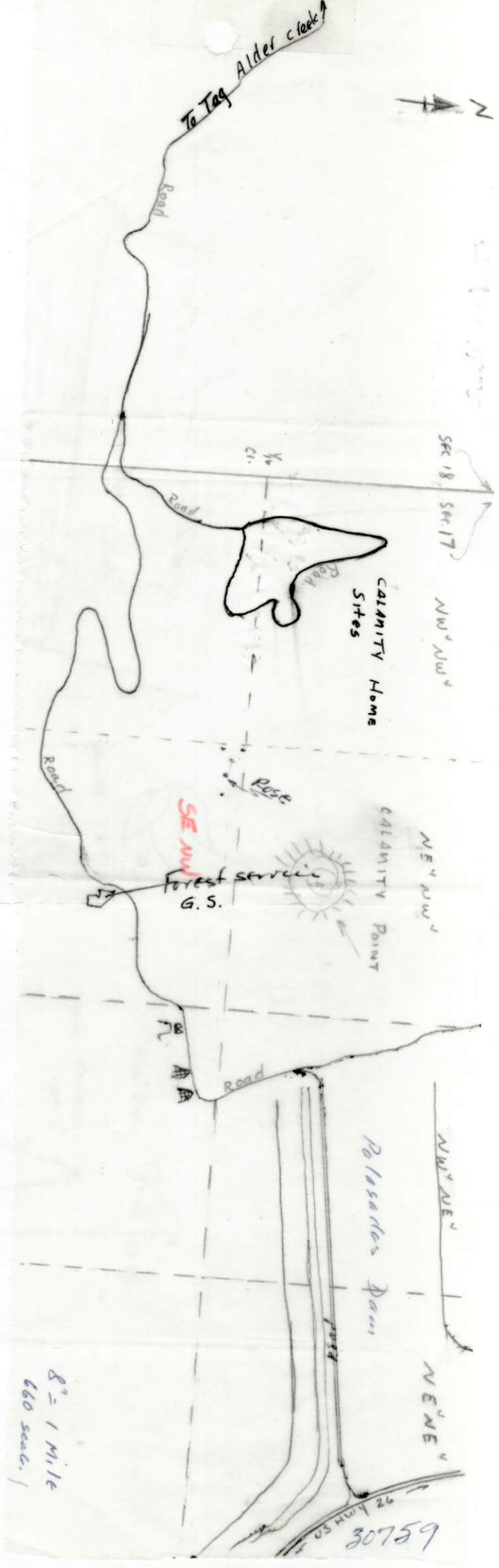


Snake River

30759



To Tag Alder creek



8" = 1 mile
660 scale.

30759

**Affidavit of Publication
The Post - Register**

RECEIVED
OCT 29 1963

Department of Reclamation

STATE OF IDAHO }
County of Bonneville } ss.

I, Edwin F. McDermott, being first duly sworn, depose and say: That I am the Principal Clerk of the Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publisher of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, in Bonneville County, Idaho, and that said newspaper has been published continuously and uninterruptedly for more than four (4) years up to and including the last publication of the notice hereinafter referred to.

Affiant further says that the said newspaper, prior to the date of the first publication of said notice, as hereinafter stated, did designate a particular day of the week as the day on which legal notices, required by law or by order of any Court of competent jurisdiction within the State to be published weekly, would be published, and that since prior to the date of the first publication of said notice, as hereinafter stated, said newspaper has at the head of the editorial column of said paper and in each issue thereof announced the day of the week on which such legal notices required by law or by order of any Court of competent jurisdiction to be published weekly would be published, and that such day so designated was and is the Sunday issue or edition of said newspaper of each week.

Affiant further says that the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said The Post-Register in the Sunday edition or issue of said newspaper for four consecutive weeks, the first publication having been made in the Sunday issue of said newspaper on the 25th day of August, 1963, and that said notice was thereafter published in each Sunday issue of said newspaper as follows:

On Sunday the 1st day of September, 1963.
and on Sunday the 8th day of September, 1963.
and on Sunday the 15th day of September, 1963.
and on Sunday the day of , 19 .
and on Sunday the day of , 19 .
and on Sunday the day of , 19 .
and that said notice was published in the regular and entire issue of said newspaper on the said respective dates of publication, and that such notice was published in the newspaper and not in any supplement issue thereof.

Subscribed in my resence and sworn to before me this 16th day of September, 1963.

Notary Public

Residence: Idaho Falls, Idaho

My commission expires April 5, 1967.

B-11, 500

**NOTICE OF PROOF OF COMPLETION
OF WORKS
and
APPLICATION OF WATER TO
BENEFICIAL USE**

NOTICE is hereby given that at 3:00 P.M., on the 15th day of October 1963, at Idaho Falls, County of Bonneville, State of Idaho, before Eugene L. Bush, Notary Public, at Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of one cubic feet per second of the waters of Spring in Tag Alder Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30759, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Donald K. Rose, 345 East 24th Street, Idaho Falls, Idaho.
2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is one cubic feet per second.
3. The use to which said water has been applied is domestic purposes, and the amount applied to beneficial use is one cubic feet per second.
4. The point of diversion of said water is near S $\frac{1}{4}$ corner at Section 18, Township 1 South, Range 45 E.B.M.
5. The place where said water is used is NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ at Section 17, Township 1 South, Range 45, E.B.M., Bonneville Co. Ida.
6. The date of priority which said user is prepared to establish is Sept. 21, 1962.

CARL E. TAPPAN, Acting
State Reclamation Engineer
Pub: Aug 25; Sept 1, 8, 15, 1963

30759

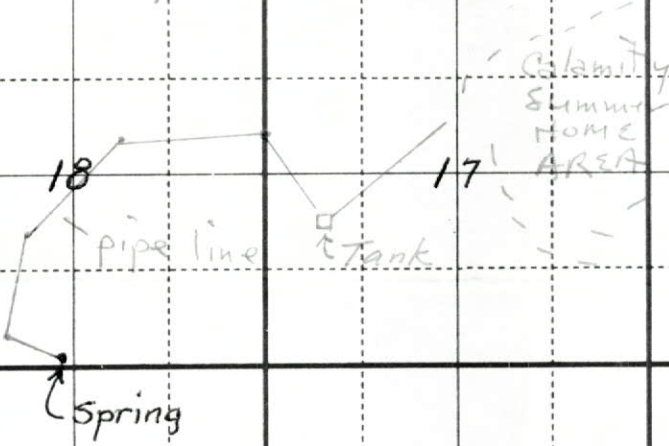
NAME OF APPLICANT Donald K. Rose

Form No. 0

RECEIVED
OCT 18 1962
Department of Reclamation

Rge. 45 E. B. M.

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I
S



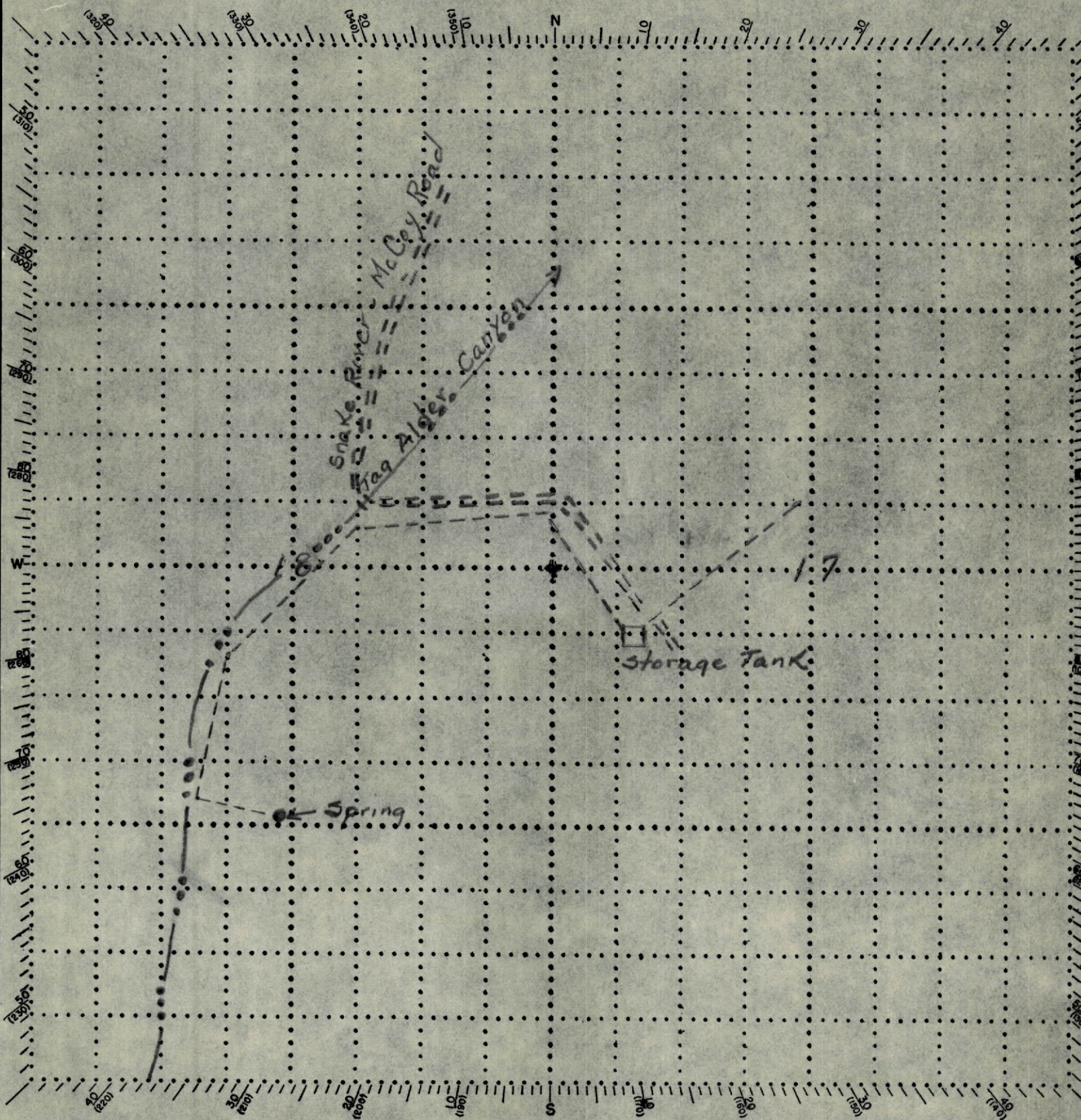
Permit Map No. 30759
As Approved
GEO. N. CARTER, OCT 17 1962
State Reclamation Engineer

Water Trans.
Donald K Rose
Calamity S.H.A.
(Case designation)

DEPARTMENT OF AGRICULTURE
FOREST SERVICE
FIELD MAP SHEET

Unit Caribou N. F.

Scale 4 inches=1 mile.
T. 1 South R. 45E Sec. 17 & 18
Mag. Dec. Acres



Field work by _____ Date _____ Platted by _____

Remarks _____

Approved _____, 19____

Form 878 b
(Rev. May 1948)

U. S. GOVERNMENT PRINTING OFFICE 16-55789-1

Approving Officer.

30759

State of Idaho
License and Certificate of Water Right

Water License No. 30759 Amount 0.08 c.f.s.
Water District No. Priority September 21, 1962

THIS IS TO CERTIFY that DONALD K. ROSE
of Idaho Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 21, 19 62 ; that Permit No. 30759
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.08 second feet, was issued thereunder on January 30, 19 67, showing that said works
were completed on the 15th day of October, 19 63 ; and that on the 15th
day of October, 19 63 ,

DONALD K. ROSE

of Idaho Falls, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Spring in
Tag Alder Creek, a tributary of, for the purpose of domestic use.
, under Use Permit No. 30759 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
14 of Licenses at page 8653, on the 30 day of January, 19 67 ;
The right hereby confirmed dates from September 21, 1962 ;

The Point of Diversion is located
in the SE 1/4 SW 1/4, Sec. 18, Tp. 1 S, R. 45 E, B. M. County of Bonneville

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.08 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S	45 E	17	NW 1/4 For domestic purposes		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
30th day of January, 19 67 .

/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-28654

Amount 4.04 c.f.s.

Water District No.

Priority August 23, 1960

THIS IS TO CERTIFY that BERNICE A. HAMILTON - Assignee - JOSEPH G. MAYALL of Twin Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 26, 1960; that Permit No. G-28654 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4.04 second feet, was issued thereunder on January 31, 1967, showing that said works were completed on the 1st day of September, 1965; and that on the 1st day of September, 1965, JOSEPH G. MAYALL

of Idaho Falls, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-28654 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses at page 8654, on the 31 day of January, 1967; The right hereby confirmed dates from August 23, 1960;

The Point of Diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Tp. 8 S, R. 21 E, B. M. Jerome County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.04 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S	21 E	10	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	32
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	17
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	37
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	39
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	37
Total number of acres to be irrigated:					202

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 31st day of January, 1967.

/s/ R. EKITH HIGGINSON
State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 30759 Priority September 21, 1962 Amount 0.08 c.f.s.

THIS IS TO CERTIFY that **DONALD K. ROSE**

of **Idaho Falls, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **September 21, 1962**; that Permit No. 30759 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of **0.08** second feet, was issued thereunder on **January 30, 1967**, showing that said works were completed on the **15th** day of **October, 1963**; and that on the **15th** day of **October, 1963**

DONALD K. ROSE

of **Idaho Falls, State of Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of **Spring in Tag**

Alder Creek

a tributary of **Idaho Falls** for the purpose of **domestic use** under Use Permit No. **30759** of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **14** of Licenses, at Page **8653**, on the **30th** day of **January, 1967**.

The right hereby confirmed dates from **September 21, 1962**.

The Point of Diversion is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. **18**, Twp. **1 S**, R. **45 E**, B.M. **Bonneville** County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **0.08** cubic feet per second.

Description and location of use:

Twp.	Range	Section	Partly-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S	45 E	17	NW 1/4 For domestic purposes		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this **30th** day of **January, 1967**.

R. Keith Higgins
State Reclamation Engineer.

30759

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. 30759

To Donald K. Rose
Idaho Falls, Idaho

Source of Supply Spring in Tag Alder
Creek

Bonneville County

Amount 0.08 Sec. Ft.

Point of Diversion SE 1/4, Sec. 18,

T. 1 S., R. 45 E., B.M.

Place of Use NW 1/4, Sec. 17,

T. 1 S., R. 45 E., B.M.

Purpose domestic use

Date of Priority September 21, 1962

Recorded January 30, 1967

in Book 14 of Licenses, Page 8653

30759

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 38810
PERMIT No. 30759
DISTRICT No.

1. Name of Applicant: Donald K. Rose
345 E. 24th St.,

Postoffice address: Idaho Falls

County: Bonneville

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(c) Bond to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: one cubic feet per second.

3. Source of water supply: Spring in Tag Alder Creek which is a tributary of none (see Remarks)

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B.M., and is ~~none~~ near S $\frac{1}{4}$ corner
of section 18 , T. 1 S , R. 45 E , B. M., County of Bonneville

5. Water is to be used for domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 17 , T. 1 S , R. 45 E , B.M.

(b) Amount of power generated: None H.P., under feet head.

(c) Water is to be returned to None at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 8200.00

8. Kind of works: Headbox - pipe & storage tank

9. Height of dam None feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width None feet; height feet.

11. Ditch: Width at bottom None feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles

Average grade per mile feet.

12. The time required for the completion of such work is One years.

13. The time required for the complete application of the water to the proposed use is no additional years

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None (See remarks)

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

s/ Donald K. Rose Applicant.

By Eugene L. Bush Agent.

Date of first receipt at Department of Reclamation: 11:00 A.M. September 21, 1962

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 30759
Recorded in Book 108 Page 30759 Approved October 17, 1962
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before December 17, 1962 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before April 17, 1963
The whole of said work to be completed on or before October 17, 1963
Beneficial use of water appropriated in accordance herewith, to be made on or before October 17, 1963

WITNESS My hand this 17th day of October, 1962
s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 17th
day of October, 1962.
Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS, Secretary of State.
By s/ ROBERT E. SMYLIE, Governor.

REMARKS: Application is for .27 acres and/or 2 miles & is for domestic water supply to summer homes in Calamity Summer Home Area in the Caribou National Forest. System will include a head box, approximately 2 miles of pipe and a 1200 gallon storage tank.
Applicant holds a special use permit from the United States Forest Service, their file No. 2710, for the right of way & right to construct the water transmission system.

Twp.	Range	Sec.	NE1/4	NW1/4	SW1/4	SE1/4	Totals
			NE1/4 NW1/4 SW1/4 SE1/4	NE1/4 NW1/4 SW1/4 SE1/4	NE1/4 NW1/4 SW1/4 SE1/4	NE1/4 NW1/4 SW1/4 SE1/4	
			Application for amendment ✓ Land List Permit No. 30759				
			Comes now Donald K. Rose, and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 30759, and requests that the description of lands identifying the place of use as described in said Permit, be changed to read as follows: and the NE1/4 of Section 18, both in the NW1/4 of Section 17, T. 1 S., R 45 E., B.M. That an additional amount of water is not asked for and that the rights of others will not be adversely affected by such change.				
			Signed at Idaho Falls, Idaho this 17th day of January, 1966.				
			Date of Receipt at office of Department of Reclamation January 18, 1966.				
			APPROVAL OF STATE RECLAMATION ENGINEER				
			I, CARL E. TAPPAN, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing appli for amendment to Permitto appropriate the Public Waters of the State of Idaho, No. 30759. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part and said application is approved only insofar as the rights of others will not be adversely affected thereby.				
			/s/ CARL E. TAPPAN State Reclamation Engineer				
			Recorded in book 108 of permits, at page 30759, January 20, 1966.				

Permit No. 30759

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that DONALD K. ROSE of Idaho Falls, County of Bonneville, and State of Idaho, the holder of Permit No. 30759, issued upon Application No. 38810 bearing date of priority of September 21, 1962, authorizing the diversion of 1.0 second feet of waters of Spring in Tag Alder Creek, County of Bonneville, State of Idaho, for domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.08 second feet of the waters of Spring in Tag Alder Creek; that the point of diversion of said waters SE1/4SW1/4, Sec. 18 T. 1 S, R. 45 E, B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: NW1/4, Sec. 17, T. 1 S, R. 45 E, B.M.

Proof of Completion of Works made: October 15, 1963.

Witness my hand this 30th day of January, A.D. 1967.

S/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 0.08 SEC. FT.
LICENSE PAGE NO. 8653.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

23 August, 1977

Calamity Point Water Users Association
Box 1816
Idaho Falls, Idaho 83401

Dear Sirs:

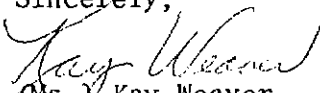
Enclosed please find a copy of a letter sent on this day to Dr. Donald Rose, who formerly owned licensed water right #23-2069. In a recent letter, Dr. Rose advised that he had sold the water right to you.

For your records, you may wish to have a copy of the right, a copy of which is also being sent.

If you have not changed either the point of diversion or the place of use for this right, you need really do nothing. If you wish, you may write us a letter stating that you are the owner of record, and we would place this letter in the file.

If you have made changes in either the point of diversion or place of use, or both, please contact our regional office in Idaho Falls and request a transfer. The staff will help you fill out the papers to make the changes.

Sincerely,


(Ms.) Kay Weaver
Records supervisor



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

23 August, 1977

Dr. Donald K. Rose
414 Tulip Road
Wild Rose Shores
Annapolis, Maryland 21403

Dear Dr. Rose,

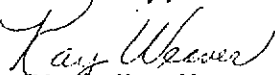
Water right #23-2069, issued to you in 1968, has already gone to license in your name. The state has no provision for changing the name on the license, so it will remain in your name, no matter who owns it.

If Calamity Point Water Users Association wishes to write a letter stating that it is the owner of this license, we would place this data in the file.

Should the association change either the point of diversion or the place of use, a transfer should be filed with the Department of Water Resources. These forms can be obtained from the regional office in Idaho Falls. The staff there can give assistance, too, in filling out the form.

Please feel free to contact us again if you require additional assistance.

Sincerely,


(Ms.) Kay Weaver
Records Supervisor

CC: Calamity Point Water Users Association

RECEIVED

AUG 22 1977

Department of Water Resources

414 Tulip Road
Wild Rose Shores
Annapolis, Maryland 21403

August 16, 1977

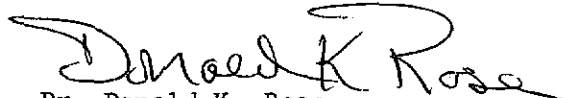
Department of Reclamation
107 State House
Boise, Idaho

Gentlemen:

On October 23, 1962, you issued to me Permit No. 30759 which established my water rights to Tag Alder Springs, Bonneville County, Idaho. During the intervening years, Calamity Point Water Users Association has assumed the ownership and responsibility for the physical facilities (collection box, pipeline, storage tank, and distribution lines) and should be shown as the rightful permittee on this Spring.

Can you please tell me how we can transfer Permit No. 30759 from my ownership to that of Calamity Point Water Users Association? Your help in this matter would be appreciated.

Very truly yours,


Dr. Donald K. Rose

Calamity Point Water Users Association
P.O. Box 1816
Idaho Falls, Idaho 83401

Dr. Donald K. Rose
414 Tulip Road
Wild Rose Shores
Annapolis, Maryland 21403



Department of Reclamation
107 State House
Boise, Idaho 83702

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that DONALD K. ROSE
 of Idaho Falls , County of Bonneville , and State of
 Idaho , the holder of Permit No. 30759 , issued upon
 Application No. 38810 bearing date of priority of September 21, 1962 , authorizing the
 diversion of 1.0 second feet of waters of Spring in Tag
 Alder Creek

County of Bonneville State of Idaho, for domestic
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 0.08 second feet of the waters of Spring in Tag
 Alder Creek;

that the point of diversion of said waters SE 1/4 Sec. 18, T. 1 S.,
 R. 45 E., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: NW 1/4 Sec. 17, T. 1 S., R. 45 E., B.M.

Proof of Beneficial Use Made: October 15, 1963

Witness my hand this 30th day of January, A. D. 19 67

R. Keith Higgins
 State Reclamation Engineer

30759

Permit No. 30759.....

**Certificate of Completion
of Works**

Dated January 30, 1967

Stream Spring in Tag Alder
Creek
County Bonneville

Amount 0.08 c.f.s.

Date of Priority September 21, 1962

Recorded in Book 108

of Permits, page 30759

30759

January 30, 1967

RE: Permit No. 30759

Donald K. Rose - *mailed to Shop, Anderson & Bush*
Box 107
Idaho Falls, Idaho 83401

Dear Mr. Rose:

Enclosed are the Certificate of Completion of Works and License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. 33527 in the amount of \$10.00 covering the fees.

Very truly yours,

M. Russell Bosch
M. Russell Bosch
Office Manager

MRB:mr

Enc. Certificates, Receipt

30759

SHARP, ANDERSON & BUSH

ATTORNEYS AT LAW

PROFESSIONAL BLDG.

MEMORIAL & B STREETS

IDAHO FALLS, IDAHO 83402

JOHN M. SHARP
W. JOE ANDERSON
EUGENE L. BUSH

P. O. Box 107
DIAL 522-3001

November 28, 1966

RECEIVED
NOV 29 1966

Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit No. 30759

Attention: Mr. M. Russell Bosch

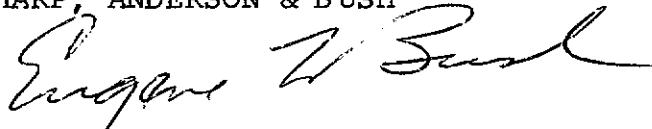
Dear Mr. Bosch:

Enclosed please find our check payable to the State of Idaho, Department of Reclamation in the amount of \$10.00 for the statutory fees relative to the above numbered permit.

If you would kindly issue the certificate of completion of works and the license and certificate of water right to Mr. Donald K. Rose and forward the same to him, in care of this office, it would be sincerely appreciated.

Very truly yours,

SHARP, ANDERSON & BUSH


Eugene L. Bush

ELB:ss

Enc.

30759

RECEIVED
NOV 25 1966

Please mail
to Eugene A. Beard

Proof of Publication

Department of Reclamation

The Post-Register

State of Idaho,
County of Bonneville } ss.

I, William P. Beard, first being duly sworn, depose and say: That I am the
Foreman of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily,
except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls
Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho
Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931,
and each of said newspapers having been published continuously and uninterruptedly, prior to consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Post-Register for four consecutive weeks, first publication having been made
on the 21st day of January, 1966, last publication
having been made on the 11th day of February, 1966, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of
publication, and that such notice was published in the newspaper and not in a supplement.

William P. Beard

Subscribed and sworn to before me, this 22nd day of November, 1966

Karen Hale
Notary Public

My commission expires April 5th, 1967

NOTICE OF PROOF OF COMPLETION
OF WORKS & APPLICATION OF
WATER TO BENEFICIAL USE
NOTICE IS HEREBY GIVEN that
at 3:00 P.M., on the 21st day of
March 1966, at Idaho Falls, County
of Bonneville, State of Idaho, before
Eugene A. Beard, Notary Public, at
(address) 480 Memorial Drive, proof
will be submitted of the completion of
works for the diversion of one cubic
feet per second of the waters of Spring
via Tag Alder Creek, and of the ap-
plication to beneficial use of said
water, in accordance with the terms
and conditions of Permit No. 30759,
heretofore issued by the Department of
Reclamation of the State of Idaho.
1. The name and postoffice address
of the person or corporation said per-
mit is: Donald K. Rose, P. O. Box
107, Idaho Falls, Idaho.
2. Said works of diversion will be
fully completed on the date set for
such completion and the amount of
water which said works are capable
of conveying to the place of use is
one cubic feet per second.
3. The use, to which said water has
been applied is Domestic purposes,
and the amount applied to beneficial
use is one cubic feet per second.
4. The point of diversion of said
water is S ¼ Corner at Section 18,
Township 1 South, Range 45 E.B.M.,
Bonneville County, Idaho.
5. The place where said water is
used is the NW¼ of Section 17, and
the NE¼ of Section 18, both in Town-
ship 1 South, Range 45 E.B.M.,
Bonneville County, Idaho.
6. The date of priority which said
user is prepared to establish is
September 21, 1962.
CARL E. TAPPAN
State Reclamation Engineer
Published: Jan. 21, 23, Feb. 4, 11, 1966

30759

SHARP, ANDERSON & BUSH
ATTORNEYS AT LAW
PROFESSIONAL BLDG.
MEMORIAL & B STREETS
IDAHO FALLS, IDAHO 83402

JOHN M. SHARP
W. JOE ANDERSON
EUGENE L. BUSH

P. O. Box 107
DIAL 522-3001

November 21, 1966

RECEIVED
NOV 25 1966

Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit 30759 - Donald K. Rose

Attention: Mr. M. Russell Bosch

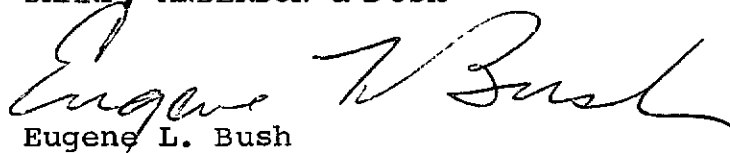
Dear Mr. Bosch:

Pursuant to your letter of October 4, 1966, and our telephone conversation of last week, I am enclosing an Affidavit of Publication as requested.

I appreciate your repeated contacts on this matter and trust that this will now enable you to issue the permit.

Very truly yours,

SHARP, ANDERSON & BUSH


Eugene L. Bush

ELB:ss

Enc.

30759

November 25, 1966

Re: Permit No. 30759

Donald K. Rose
Box 107
Idaho Falls, Idaho

Dear Mr. Rose:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. 30759 shows pipe and tank are capable of conveying 4 miner's inches, or 0.08 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$10.00, we will issue the Certificate of Completion of Works for 0.08 c.f.s. and the License and Certificate of Water Right for 0.08 c.f.s. confirming the right, with priority of October 17, 1962, to the use of surface water from a spring in Tag Alder Creek with the point of diversion in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 1 S, R. 45 E, B.M. for domestic purposes for summer homes.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

30759

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 30759

REPORT ON PROOF OF Completion of Works & Beneficial Use

Donald K. Rose, 345 E. 24th St., Idaho Falls, Idaho

30759

R 45 E

Place of Use

110' PSI of Rosas Home

USE
PROXIMITY

SUMMER
HOME

AREA

1 1/2" x 1 1/2" mil. STP

3000' STP

1200' STP

1200' STP
TANK

PIPELINE

70' x 6" Spiral punched perforated CMP

50' x 6" Spiral
Punched perforated CMP

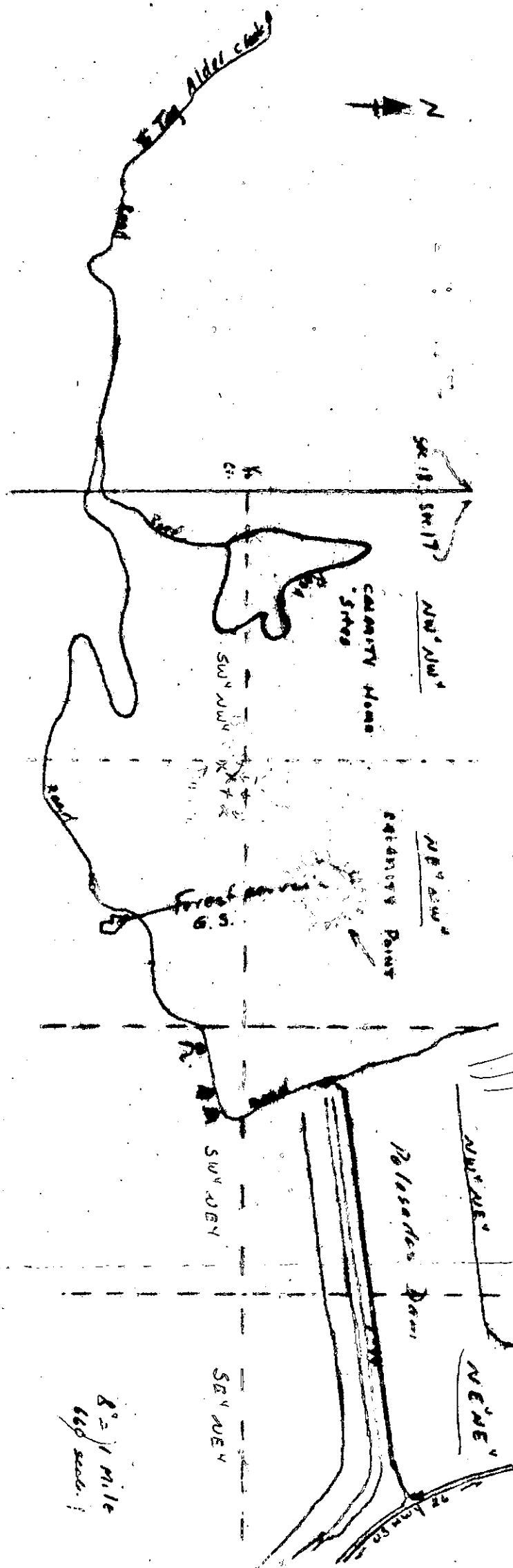
SPRING
PD

Domestic Use

Allow $Q = .08$ cfs or 4 inches

NOV 27 1955

Deputy Assistant Secretary



Snake River

30759



To Tag Alder creek

Sec 18 Sec 17

NW¹ NW⁴

CALANITY HOME
SITES

NE⁴ NW⁴

CALANITY POINT

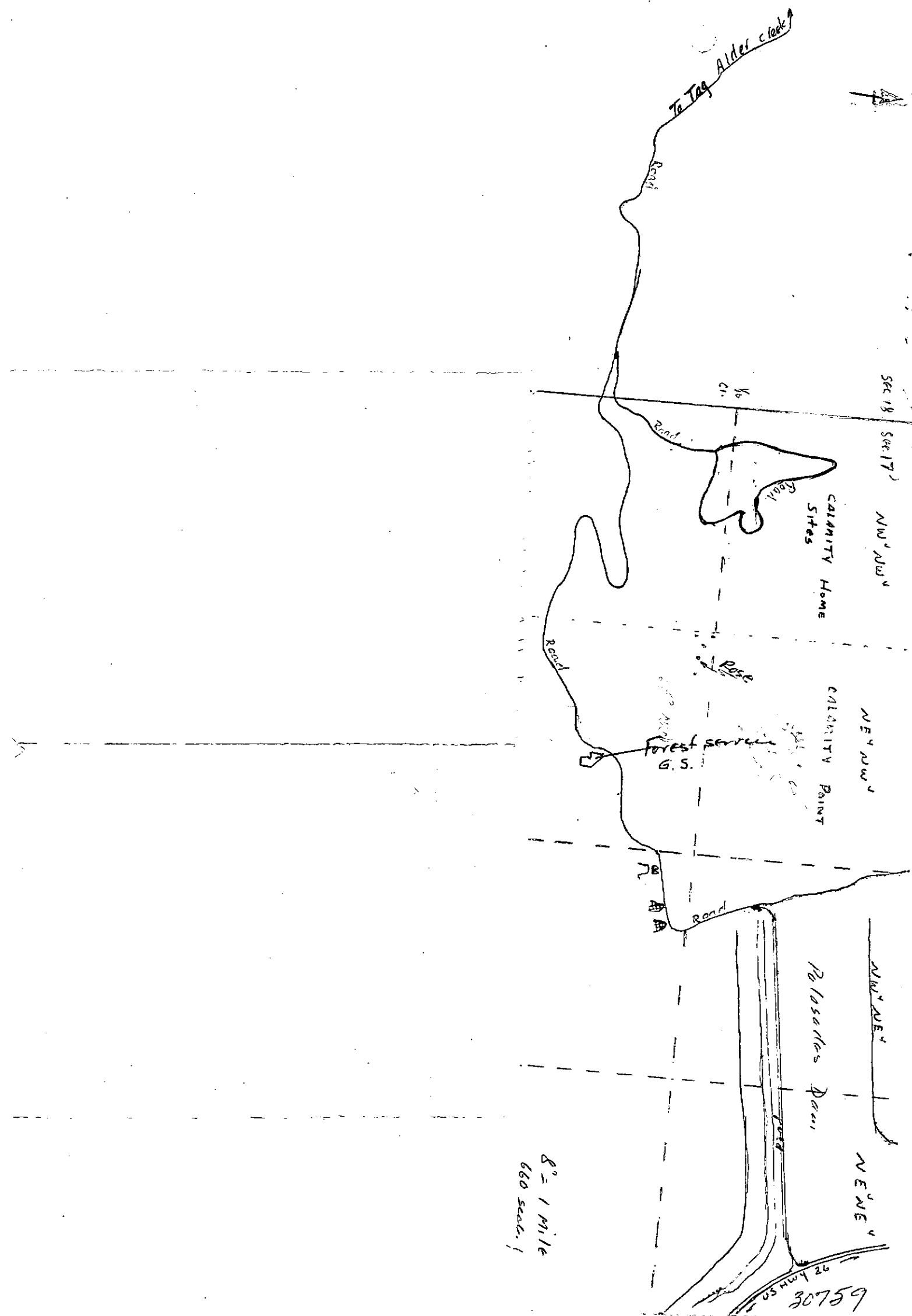
Forest service
G.S.

Palasallas Pass

NE² NE⁴

30759
26
50

8" = 1 mile
660 sec. 1



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 30759

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Donald K. Rose

2. Source of water supply: Spring in Tag Alder Creek

3. Location of point of diversion: Is in the _____ near S₄ corner of Section 18

T. 1 S R. 45 E.B.M. County of Bonneville

4. Describe works as they exist, giving dimensions and capacities of same: Water is collected through 2 buried 6" spiral perforated CMP pipes that divert into a 2' x 4' CMP collection tank with 1 1/4" x 1 1/4" mile GIP to a 1200 gal steel storage tank then through 3000' x 1 1/2" GIP to 5 Residences

5. Water is used for: domestic purposes for summer homes

6. State whether or not water has been turned into works of diversion: ybs

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

POINT OF USE: NE₁4, N₂SE₁4 Sec. 17., Twp. 1 S., Rge. 45 E.B.M.

REMARKS: Application is for .27 acres and/or 2 miles & is for domestic water supply to summer homes in Calamity Summer Home Area in the Caribou National Forest.

System will include a head box, approximately 2 miles of pipe and a 1200 gallon storage tank.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mv. William Goetteche Maintenance caretaker along

Armed Place of Rfd. The homes serviced by this supply are located SE₁4 Sec. 17, T1 S, R45 E

5th Residence not built, but tap and lateral provisions made.

110' PSI at Rose's Residence with an estimated 4 GPM waste to prevent freezing of pipe lines.

This examination was made on the 3rd day of November, 1965

(Signed) Lynn Johnson Examiner.

30759

Donald K. Rose
345 E. 24th St.,
Idaho Falls, Idaho
Permit No. 30759

5 Minutes

Examination for Completion of Works & Beneficial Use

County Bonneville

Sec. 18 T. 1S R. 6E S. 15 EBM

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED

NOV 17 1965

Department of Reclamation

Source: Spring in deep alluvial
Creed.

P.D.: near S 1/4 corner of
Sec. 18 - 15 - 45E

Use: domestic

Filed: 8-21-62
10-19-62

Due: 10-17-63
March 10, 15, 1963
Extension: April 21 - 62

Completion of Works:

Other Rights: none

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
CARIBOU NATIONAL FOREST
POCATELLO, IDAHO

IN REPLY REFER TO:

2710

Idaho Falls, Idaho
November 15, 1965

Department of Reclamation
State Reclamation Engineer
107 State House
Boise, Idaho 83701

RECEIVED
NOV 17 1965

Department of Reclamation

Attention: Loy H. Johnson
Field Engineer

Dear Mr. Johnson:

Reference is made to your letter of November 12, 1965 referring to Forest Service Special Use Permit dated August 10, 1962, File Code 2710.

As requested, we have shown the locations of the summer homes on the enclosed map forwarded to us by your office.

If we can be of further assistance, please contact us.

Sincerely yours,

ROLLO H. BRUNSON
District Ranger

By *R. Brunson* *R. Barker*

Enclosure



30759

SHARP, ANDERSON & BUSH
ATTORNEYS AT LAW
PROFESSIONAL BLDG.
MEMORIAL & B STREETS
IDAHO FALLS, IDAHO 83402

JOHN M. SHARP
W. JOE ANDERSON
EUGENE L. BUSH

P. O. Box 107
DIAL 522-3001

November 14, 1966

RECEIVED
NOV 15 1966

Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit 30759
Donald K. Rose

Attention: Mr. M. Russell Bosch

Dear Mr. Bosch:

Please accept my apologies for failing to respond earlier to your letter of October 4 regarding the above matter.

I failed to retain a copy of the original Affidavits that we filed in this matter and wondered if it would be possible for you to make copies of the original proofs and affidavits filed and forward them to me from which I will prepare the new or supplemental affidavits and proofs, have the same executed and duly notarized and returned to you.

Thanking you in advance for your kind assistance in this matter, I am

Very truly yours,

SHARP, ANDERSON & BUSH

Eugene L. Bush
Eugene L. Bush

ELB:ss

*Forwarded 11/19/66
Mr. Bosch will
forward affidavits*

30759

November 12, 1965

RE: F.S. Special Use Permit
Dated Aug. 10, 1962
File Code 2710

Mr. Rod Barker, Assistant Ranger
Caribou National Forest
Idaho Falls, Idaho

Dear Mr. Barker:

I would like to solicit your help in making an accurate location of the summer home of Mr. Donald K. Rose and five others in the same vicinity in the Calamity Home Site Area west of Palisades Dam.

I have inclosed a copy of a sketch map traced from an aerial photo in the Bonneville County ASC Office. There were no section corners located on the photo. I attempted to locate the subdivision on the sketch, after I returned to Boise, using an old quadrangle sheet and a county highway map.

Any help will be greatly appreciated.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Loy H. Johnson
Field Engineer

LHJ:mr

Enc. copy of sketch map

30759

November 9, 1966

RE: Permit 30759
Donald K. Rose

Eugene L. Bush
Attorney at Law
Box 107
Idaho Falls, Idaho 83402

Dear Mr. Bush:

On October 4, we sent you a letter requesting the affidavit of publication and new depositions for the above referenced permit. In checking the file we feel we could license this permit if we received the affidavit of publication.

Would you please see if this affidavit could be forwarded to us at an early date.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRBtefw

30759

October 4, 1966

RE: Permit 30759
Donald K. Rose

Eugene L. Bush
Attorney at Law
Box 107
Idaho Falls, Idaho 83402

Dear Mr. Bush:

On January 18, 1966, we forwarded to the Post Register notice of proof of the above numbered permit. New proofs were to be taken on the 21st of March, 1966. To date we have not received the proofs or the publication affidavit.

Would you please forward the proofs and the affidavit at the earliest possible date.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

30759

y, January 21, 1966

LEGAL NOTICES

NOTICE OF PROOF OF COMPLETION OF WORKS & APPLICATION OF WATER TO BENEFICIAL USE

NOTICE IS HEREBY GIVEN that at 3:00 P.M., on the 21st day of March 1966, at Idaho Falls, County of Bonneville, State of Idaho, before Eugene L. Bush, Notary Public, at (address) 490 Memorial Drive, proof will be submitted of the completion of works for the diversion of one cubic feet per second of the waters of Spring via Tag Alder Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30759, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation said permit is: Donald K. Rose, P. O. Box 107, Idaho Falls, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is one cubic feet per second.

3. The use to which said water has been applied is Domestic purposes, and the amount applied to beneficial use is one cubic feet per second.

4. The point of diversion of said water is S $\frac{1}{4}$ Corner at Section 18, Township 1 South, Range 45 E.B.M., Bonneville County, Idaho.

5. The place where said water is used is the NW $\frac{1}{4}$ of Section 17, and the NE $\frac{1}{4}$ of Section 18, both in Township 1 South, Range 45 E.B.M., Bonneville County, Idaho.

6. The date of priority which said user is prepared to establish is September 21, 1962.

CARL E. TAPPAN
State Reclamation Engineer
published: Jan. 21, 28, Feb. 4, 11, 1966

January 21, 1966

RE: Permit No. 30759
Donald K. Rose

Eugene L. Bush
Sharp, Anderson and Bush
Attorneys at Law
Box 107
Idaho Falls, Idaho 83402

Dear Mr. Bush:

Enclosed is Amendment to the Land List on the above numbered permit which has been recorded in this office.

Also enclosed is departmental receipt No. 33083 in the amount of \$1.00 covering the fee.

Very truly yours,

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ejw
Encl: Amendment
Receipt

30759

Re: Permit No. 30759
Donald K. Rose

January 18, 1966

Mr. Eugene L. Bush,
Attorney at Law,
Professional Building,
Memorial & B Streets,
Idaho Falls, Idaho 83402

Dear Mr. Bush:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 30759, in the name of Donald K. Rose as Notary on the 21st day of March, 1966, at 3:00 o'clock P.M., at 490 Memorial Drive, Idaho Falls, Idaho.

As of this date, we have mailed the Notice to the Post Register Idaho Falls, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

30759

RECEIVED
JAN 18 1966

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATION ~~Department of Reclamation~~

(Date) January 11, 1966

(P. O.) Idaho Falls, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the The Post Register of
Idaho Falls, Idaho Published in
the county in which the works are situated.

Eugene L. Bush

Eugene L. Bush

Box 107, Idaho Falls, Idaho

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached
notice are true.

Engineer

30759

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at 3:00 P.M., on the 21st day of March
19 66, at Idaho Falls, County of Bonneville, State of Idaho, before
Eugene L. Bush, Notary Public, at (address) 490 Memorial Drive
 , proof will be submitted of the completion of works for the diversion of
one cubic feet per second of the waters of Spring via Tag Alder Creek
 , and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. 30759, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is: Donald K. Rose, P. O. Box 107, Idaho Falls, Idaho

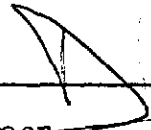
2. Said works of diversion will be fully completed on the date set for such completion
and the amount of water which said works are capable of conveying to the place of use is
one cubic feet per second.

3. The use to which said water has been applied is Domestic
 purposes, and the amount applied to beneficial use is one cubic
feet per second.

4. The point of diversion of said water is S ¼ Corner at Section 18, Township
1 South, Range 45 E.B.M., Bonneville County, Idaho.

5. The place where said water is used is the NW ¼ of Section 17, and the NE ¼ of
Section 18, both in Township 1 South, Range 45 E.B.M., Bonneville County,
Idaho. Total acres.

6. The date of priority which said user is prepared to establish is September 21, 1962


State Reclamation Engineer

30759

Re: Permit No. 30759
Donald K. Rose

Date: Jan. 18, 1966

Post Register,
Idaho Falls, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to March 21, 1966 the date set for proof; the expense of the publication is to be paid by the applicant 's attorney, Eugenel. Bush of Box 107, Idaho Falls, Idaho 83402 to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

30759

Application for Amendment

JAN 18 1966

LAND LIST

Department of Reclamation

Permit No. 30759

Comes now DONALD K. ROSE, and represents
to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public waters of the
State of Idaho, No. 30759, and requests that the ~~xxxxxx~~ description of lands identifying
the place of use as described in said permit, be changed to and the N.E. 1/4 of Section 18, both in
The Northwest Quarter of Section 17, Township 1 South, Range 45
East of the Boise Meridian.

_____, making a total of _____ acres.
That no additional _____, _____, _____ or others
will not be adversely affected by such change.

Signed at Idaho Falls, Idaho this 17th day of January, 1966

Donald K. Rose

Date of receipt at office of Department of Reclamation: _____

APPROVAL OF STATE RECLAMATION ENGINEER

Carl E. Tappan

I, ~~xxxxxx~~, State Reclamation Engineer of the State of Idaho, hereby approve
the above and foregoing application for amendment to Permit to appropriate the Public
Waters of the State of Idaho, No. 30759. This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers, and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

Recorded in Book 108 of
Permits, at page 30759,
January 20, 1966.

30759

Carl E. Tappan
State Reclamation Engineer

January 18, 1966

RE: Permit No. 30759
Donald K. Rose

Eugene L. Bush
Sharp, Anderson and Bush
Attorneys at Law
Box 107
Idaho Falls, Idaho 83402

Dear Mr. Bush:

The land list amendment filed by you in behalf of Donald K. Rose pertaining to Permit No. 30759 has been received and will be recorded upon receipt of \$1.00 recording fee.

Enclosed for your future convenience find a list of prices for services of this department.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Donald J. Watts
Office Engineer

DJW:mr

Enc. list of fees

30759

SHARP, ANDERSON & BUSH

ATTORNEYS AT LAW

PROFESSIONAL BLDG.

MEMORIAL & B STREETS

IDAHO FALLS, IDAHO 83402

JOHN M. SHARP
W. JOE ANDERSON
EUGENE L. BUSH

P. O. Box 107
DIAL 522-3001

January 11, 1966

RECEIVED
JAN 18 1966

Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

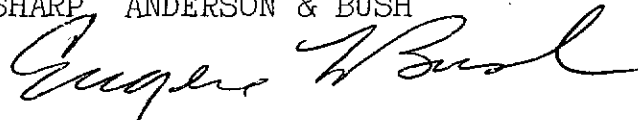
Gentlemen:

Enclosed please find duplicate notice of proof of completion of works and application of water to beneficial use relative to Permit No.30759, together with an application for amendment and a request for publication of the notice.

Would you kindly forward the notice to The Post-Register at Idaho Falls, Idaho, for publication and forward the necessary forms for completing the proofs relative to the amendment to me.

Sincerely yours,

SHARP, ANDERSON & BUSH



Eugene L. Bush

ELB:ss

Enc.

30759

November 17, 1965

RE: Permit No. 30759
Donald K. Rose

Eugene L. Bush
Attorney at Law
Box 107
Idaho Falls, Idaho 83402

Dear Mr. Bush:

The inspection of the above numbered permit was made on November 3, 1965.

Our field engineer found the place of use to be in the NW $\frac{1}{4}$, Sec. 17, T. 1 S., R. 45 E., B.M., rather than in the NE $\frac{1}{4}$ or N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 17 as claimed in the permit.

Due to a ruling from the Attorney General's Office it will be necessary to amend the place of use, readvertise, and take new proofs. See the enclosed copy of a letter pertaining to the ruling.

The necessary forms for changing the land list and readvertising are enclosed. There is a fee of \$1.00 for recording an amendment. The priority date of the water right will be advanced the length of time the proofs are delayed past the original date for making proof.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

Enc. amendment form
Forms 36A, 11
copy of letter

30759

SHARP, ANDERSON & BUSH

ATTORNEYS AT LAW

PROFESSIONAL BLDG.

MEMORIAL & B STREETS

IDAHO FALLS, IDAHO 83402

JOHN M. SHARP
W. JOE ANDERSON
EUGENE L. BUSH

P. O. Box 107
DIAL 522-3001

October 27, 1965

RECEIVED
OCT 28 1965

Department of Reclamation

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho

Attn: Mr. Loy H. Johnson

Re: Permit No. 30759

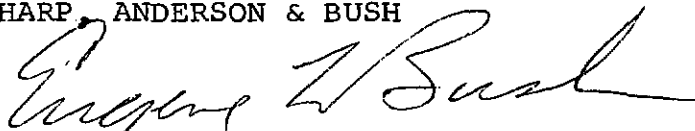
Dear Mr. Johnson:

This will acknowledge your letter of October 26, 1965,
regarding the above numbered permit.

Please be advised that a Mr. William Goettsche at Swan
Valley or Irwin, Idaho, would be the best person to take you
or direct you to the site. You could have some difficulties
in reaching the site at this time of year. However, if the
weather continues as it has, there should be no problem.

Very truly yours,

SHARP, ANDERSON & BUSH


Eugene L. Bush

ELB:wc

cc: Don Rose

30759

61.6 - 69.5 kg

68.8 McCoy Co.

71.2 - just killed. Poor

74.0 cross creek

76.7 Bull Mountain. to S.

77.6 Iowa Co.

82.2 Carbon Co. S.

88.6 Jant. 2

91.0 Joplin road

94.3. at yard

October 26, 1965

RE: Permit No. 30759

Eugene L. Bush
Attorney at Law
Box 107
Idaho Falls, Idaho 83402

Dear Mr. Bush:

The inspection on the above permit in the name of Donald K. Rose has not been made. All of our time has been spent on the pumped irrigation wells as there is a limited time each year we can make these inspections. The permits of this nature are inspected usually before or after what is considered the irrigation season.

For You
If it is convenient I will be able to make the inspection November 2, 1965, as I plan to be in the eastern part of the State during the first week in November.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

Loy H. Johnson
Field Examiner

LHJ:ejw

30759

SHARP, ANDERSON & BUSH

ATTORNEYS AT LAW

PROFESSIONAL BLDG.

MEMORIAL & B STREETS

IDAHO FALLS, IDAHO 83402

JOHN M. SHARP
W. JOE ANDERSON
EUGENE L. BUSH

P. O. Box 107
DIAL 522-3001

October 25, 1965

RECEIVED
OCT 26 1965

Department of Reclamation

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho

Re: Permit No. 30759

Gentlemen:

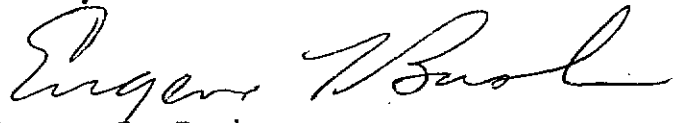
On September 28, 1965, we made inquiry about the above numbered permit filed on behalf of Mr. Donald K. Rose.

As of this date we have not heard from you on this matter and we are most anxious to take whatever steps are necessary to conclude this filing.

Would you please advise us of the status of this permit as reflected by the records of your office and what, if anything, is necessary to conclude the issuance of final papers.

Very truly yours,

SHARP, ANDERSON & BUSH


Eugene L. Bush

ELB:wc

cc: Donald Rose

30759

SHARP, ANDERSON & BUSH

ATTORNEYS AT LAW

PROFESSIONAL BLDG.

MEMORIAL & B STREETS

IDAHO FALLS, IDAHO 83402

JOHN M. SHARP
W. JOE ANDERSON
EUGENE L. BUSH

P. O. Box 107
DIAL 522-3001

September 28, 1965

RECEIVED
SEP 29 1965

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho

Department of Reclamation

Gentlemen:

On November 1, 1963, you acknowledged to our client, Mr. Donald K. Rose, in care of ourselves, Box 107, Idaho Falls, Idaho, receipt of certain depositions and affidavits of publication submitted in proof of completion of works and beneficial use on permit no. 30759. At that time you indicated that it would be the summer of 1964 before the necessary field inspection could be made, but that a patent would issue after such inspection.

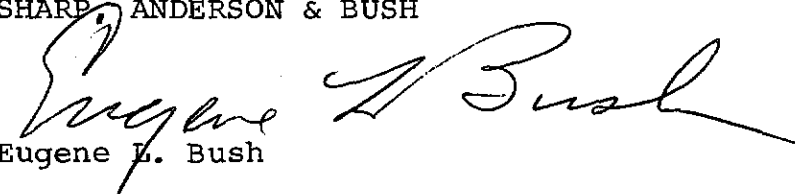
I advised you that you could contact this office and make necessary arrangements to be shown the grounds.

As near as I can tell from our file on this matter, we have heard nothing further from you.

Would you be so kind as to check into this matter and advise me whether or not a field inspection was made and if you are in a position to issue the final papers.

Very truly yours,

SHARP, ANDERSON & BUSH


Eugene L. Bush

ELB:ss

30759

November 8, 1963

RE: Permit No. 30759
Donald K. Rose

Eugene L. Bush
Attorney at Law
Box 167
Idaho Falls, Idaho

Dear Mr. Bush:

It will probably be in the summer of 1964 before an inspection can be made on the above numbered permit.

You will be notified of the date the inspection will be made.

Mr. Rose should know the length and size of pipe used.

Very truly yours,

CHAS. H. TAPPIN
By

Loy H. Johnson
Field Engineer

LHJ:rr

cc: Donald K. Rose
365 East 24th
Idaho Falls, Idaho

30759

SHARP, ANDERSON & BUSH

ATTORNEYS AT LAW

PROFESSIONAL BLDG.

MEMORIAL & B STREETS

IDAHO FALLS, IDAHO

JOHN M. SHARP
W. JOE ANDERSON
EUGENE L. BUSH

P. O. Box 107
DIAL 522-3001

November 6, 1963

RECEIVED
NOV 7 1963

Department of Reclamation

State Department of Reclamation
107 State House
Boise, Idaho

Re: Permit No. 30759

Attention: Mrs. Edna P. Rule, Chief Clerk

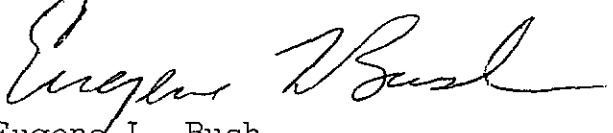
Dear Mrs. Rule:

Thank you for your letter of November 1, 1963, addressed to Mr. Donald K. Rose, regarding the above-numbered permit.

Mr. Rose is presently out of town and will be for sometime. Would you kindly have your engineer, who is to make the field examination, contact this office for arrangements to be shown over the grounds.

Very truly yours,

SHARP, ANDERSON & BUSH


Eugene L. Bush

EB/bd

cc: Donald K. Rose
345 East 24th

30759

1M April 1962

~~XXXXXXXXXX~~

November 1, 1963

Re: Permit No.

30759

Mr. Donald K. Rose
Box 107
Ida Falls, Idaho

Dear Mr. Rose:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Post-Register, all submitted in proof of completion of works and beneficial use on Permit No. 30759.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

CARL E. TAPPAN
~~XXXXXXXXXX~~

State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

cc: Eugene L. Bush
Attorney at Law
P. O. Box 107
Idaho Falls, Idaho

30759

RECEIVED
OCT 29 1963

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Department of Reclamation

BOISE, IDAHO

Permit No. 30759

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address: DONALD K. ROSE
345 E. 24th St., Idaho Falls, Idaho; businessman; Box 107, Idaho Falls, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Not acting for corporation

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; 30759; Oct. 17, 1962; ~~October 15, 1963~~ Sept. 21, 1962.

Ques. 4. State source of water supply: Tag Alder Creek.
Give location of point of diversion, showing subdivision, section, township and range:

S 1/4 corner of Section 18, township 1 S, Rge 45 E BM.

Ques. 5. Describe your works of diversion: Headbox, pipeline to supply tank and then pipeline to summer homes; state amount of water they are capable of conveying from point of diversion to place of use 1 cubic ft per second. Give name of canal or ditch or other works by which water is conducted to such place of use: — pipeline

—; if a well, state depth of well —; depth and size of casing: —; depth to water —; if pump is used,

state discharge of pump: —; tell how it was measured or determined: —

—; if sprinkler irrigation, give number and size of nozzles and operating pressure: —

Ques. 6. State for what purpose water is used: Domestic purposes at Summer homes.
If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water: —

State nature of all improvements which have been made as a direct result of said use:

Improvements are the headbox, pipelines, supply tanks, and pipelines to individual summer homes.

30759 DR

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: _____

Ques. 7. If for other than irrigation purposes, state purpose and how used:

Domestic purposes by occupants of summer homes
in Calamity Point Summer Home Area, Gibbon Nat'l Forest,

Ques. 8. What is the minimum amount of water required for the purpose specified above:

one cubic foot per second,

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: August, 1962 Time used since first use:

Used fall of 1962 + Spring, Summer + Fall of 1963

Ques. 11. Describe all other water rights appurtenant to same place of use:

None.

(sign) Donald K. Rose

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Idaho Falls, County of Bonneville

State of Idaho, on this 15th day of October, A.D. 1963.

Eugene T. Bush

My Commission expires: July 10, 1964



30759

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 29 1965

Department of Reclamation

PERMIT NO. _____

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Bruce W. Reese, 39, 602 South Higbee, Idaho Falls,
Idaho, Forest Ranger - U.S. Dept. of Agriculture; Box 1140
Idaho Falls, Ida.

Ques. 2. Are you acquainted with Donald K. Rose, the
holder of Permit No. 30759? How long have you known him and where does
he reside?

Ans. I have known him for about 4 years & he
resides at 345 E. 24th St., Idaho Falls, Idaho.

Ques. 3. Have you read or heard read said Permit No. 30759, and are you
familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for
conveying water from point of diversion to place of use.

Ans. Water Supply is Tag Alder Creek; place of diversion
is S $\frac{1}{4}$ corner of Section 18, Township 1 South, Range
45 E.B.M.; works consist of Headbox, pipe line to supply
Tank and pipeline to summer homes.

Ques. 5. How many second feet of water do you estimate said works will safely
conduct to place of use, and how much water have you seen being so conveyed?

Ans. Approximately 1 cubic foot per second

Ques. 6. State for what purpose water is used and at what place. (If for irrigation,
give each subdivision in which water has been used and number of acres irrigated in
each subdivision.) State whether cultivated or natural meadow land and the nature
of all improvements which have been made as a direct result of said use.

Ans. Water is used for domestic purposes at and
by residents of Calamity Point Summer Home Area in
the Caribou National Forest, Bonneville County, Idaho.

30759

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Not used for power; water is used for domestic purposes as set forth in answer to question No. 6.

Ques. 8. If for irrigation, state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Not for irrigation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No interest.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have observed the water system in question on several occasions from the mid summer of 1962 to the present time. Use of water has been for domestic purposes of residents of Calamity River Summer Home Area.

(Signed) Bruce W. Reese

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Idaho Falls, County of Bonneville, State of Idaho, on this 15th day of October, A. D. 1963.

Eugene H. Bush
Notary Public.

My commission expires

July 10, 1964.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 29 1966
Department of Reclamation

PERMIT NO. 30759

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. William C. Goettsche, 59, Swan Valley, Idaho; blacksmith
and repair, Swan Valley, Idaho

Ques. 2. Are you acquainted with Donald K. Rose, the holder of Permit No. 30759? How long have you known him and where does he reside?

Ans. I have known him for about 3 yrs. and he
resides at 345 E. 24th St., Idaho Falls, Idaho.

Ques. 3. Have you read or heard read said Permit No. 30759, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Water supply is Tag Alder Creek, place of diversion
is SE corner of Section 18, Township 15, Rge 45 EBM; works
consist of storage Head box, pipe line to supply tank
and then pipe line to summer homes.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Approximately one cubic foot per second.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for domestic purposes by
residents of Calamity Point Summer Home area
in the Caribou National Forest.

30759

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Not used for power. Water is used for domestic purposes as set forth in previous answer.

Ques. 8. If for irrigation, state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. not applicable.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

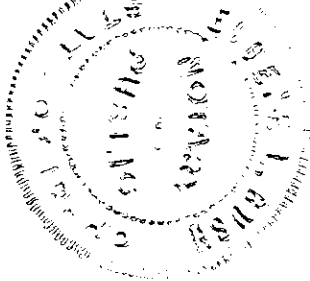
Ans. I assisted in the installation of the works. Have helped in maintenance of same. Have observed in fall of 1962 & spring & summer of 1963, use of water by residents of Calamity Point Summer Home area.

(Signed) William B. Goettsohe

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Bonneville, Idaho County of Bonneville, State of Idaho, on this 15th day of October, A. D. 1963.

Eugene T. Bush
Notary Public.

My commission expires July 10, 1964.



Affidavit of Publication
The Post - Register

RECEIVED
OCT 29 1963

Department of Reclamation

STATE OF IDAHO }
County of Bonneville } ss.

I, **Edwin F. McDermott**, being first duly sworn, depose and say: That I am the **Principal Clerk** of the Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publisher of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, in Bonneville County, Idaho, and that said newspaper has been published continuously and uninterruptedly for more than four (4) years up to and including the last publication of the notice hereinafter referred to.

Affiant further says that the said newspaper, prior to the date of the first publication of said notice, as hereinafter stated, did designate a particular day of the week as the day on which legal notices, required by law or by order of any Court of competent jurisdiction within the State to be published weekly, would be published, and that since prior to the date of the first publication of said notice, as hereinafter stated, said newspaper has at the head of the editorial column of said paper and in each issue thereof announced the day of the week on which such legal notices required by law or by order of any Court of competent jurisdiction to be published weekly would be published, and that such day so designated was and is the Sunday issue or edition of said newspaper of each week.

Affiant further says that the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said The Post-Register in the Sunday edition or issue of said newspaper for four consecutive weeks, the first publication having been made in the Sunday issue of said newspaper on the 25th day of August, 1963, and that said notice was thereafter published in each Sunday issue of said newspaper as follows:

On Sunday the 1st day of September, 1963.
and on Sunday the 8th day of September, 1963.
and on Sunday the 15th day of September, 1963.
and on Sunday the _____ day of _____, 19____.
and on Sunday the _____ day of _____, 19____.
and on Sunday the _____ day of _____, 19____.
and that said notice was published in the regular and entire issue of said newspaper on the said respective dates of publication, and that such notice was published in the newspaper and not in any supplement issue thereof.

Edwin F. McDermott

Subscribed in my residence and sworn to before me this 16th day of September, 1963.

Karl S. Dale
Notary Public
Residence: Idaho Falls, Idaho
My commission expires April 5, 1967

9-11, 500

**NOTICE OF PROOF OF COMPLETION
OF WORKS**

**and
APPLICATION OF WATER TO
BENEFICIAL USE**

NOTICE is hereby given that at 3:00 P.M., on the 15th day of October 1963, at Idaho Falls, County of Bonneville, State of Idaho, before Eugene L. Bush, Notary Public, at Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of one cubic feet per second of the waters of Spring in Tag Alder Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30759, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Donald K. Rose, 345 East 24th Street, Idaho Falls, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is one cubic feet per second.

3. The use to which said water has been applied is domestic purposes, and the amount applied to beneficial use is one cubic feet per second.

4. The point of diversion of said water is near S $\frac{1}{4}$ corner at Section 18, Township 1 South, Range 45 E.B.M.

5. The place where said water is used is NE $\frac{1}{4}$; N $\frac{1}{4}$ SE $\frac{1}{4}$ at Section 17, Township 1 South, Range 45, E.B.M., Bonneville Co. Ida.

6. The date of priority which said user is prepared to establish is Sept. 21, 1962.

CARL E. TAPPAN, Acting
State Reclamation Engineer
Pub: Aug 25; Sept 1, 8, 15, 1963

30759

SHARP, ANDERSON & BUSH

ATTORNEYS AT LAW

PROFESSIONAL BLDG.

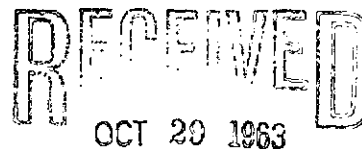
MEMORIAL & B STREETS

IDAHO FALLS, IDAHO

JOHN M. SHARP
W. JOE ANDERSON
EUGENE L. BUSH

P. O. Box 107
DIAL 522-3001

October 28, 1963



Department of Reclamation

Department of Reclamation
Room 107
State House
Boise, Idaho

Re: Permit No. 30759
Donald K. Rose

Attention: Mrs. Edna P. Rule, Chief Clerk

Dear Madam:

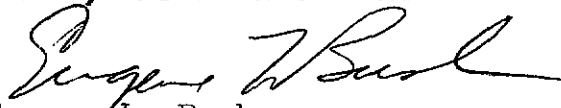
Enclosed please find Affidavit of Publication and Depositions relative to Permit No. 30759.

This should complete the requirements of proof of completion of works and application of water to beneficial use for the said permit.

If any additional action is required, would you please advise the undersigned. Also, if any additional fees are necessary, would you please let me know.

Very truly yours,

SHARP, ANDERSON & BUSH


Eugene L. Bush

ELB:hm

Encl.

30759

August 15, 1963

Re: Permit No. 30759

Mr. Donald K. Rose,
345 East 24th St.,
Idaho Falls, Idaho.

Dear Mr. Rose:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 30759. The proofs are to be made at 3:00 o'clock P.M., on the 15th day of October, 1963, before Eugene L. Bush, Idaho Falls, Idaho, Notary Public.

As of this date we have mailed the Notice to the Idaho Falls Post Register Idaho Falls, Ida with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

~~RECORDED & INDEXED~~
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

30759

RECEIVED

AUG 15 1963

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 14, 1963

(P. O.) Box 107, Idaho Falls, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Idaho Falls Post Register of
Idaho Falls, Idaho published in the
county in which the works are situated. Bonneville Co.

SHARP, ANDERSON & BUSH

By: Eugene W. Bush

A member of the firm

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the
attached notice are true.

Engineer

30759

RECEIVED

AUG 15 1963

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

NOTICE is hereby given that at 3:00 P. M., on the 15th day of October
1963, at Idaho Falls, County of Bonneville, State of Idaho, before
Eugene L. Bush, Notary Public, at (address) Idaho Falls, Idaho

proof will be submitted of the completion of works for the diversion of
one cubic feet per second of the waters of Spring in Tag Alder Creek

and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. 30759, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is: Donald K. Rose, 345 East 24th Street, Idaho Falls, Idaho

2. Said works of diversion will be fully completed on the date set for such completion
and the amount of water which said works are capable of conveying to the place of use is
one cubic feet per second.

3. The use to which said water has been applied is domestic
purposes, and the amount applied to beneficial use is one cubic
feet per second.

4. The point of diversion of said water is near ^S ~~SE~~ corner at Section 18,
Township 1 South, Range 45, ^{B.M.} East of the Boise Meridian, Bonneville Co. Ida.

5. The place where said water is used is NE ^{B.M.} ~~1~~ ⁴ SE ~~1~~ ⁴ at Section 17, Town-
ship 1 South, Range 45, ^{B.M.} East of the Boise Meridian; Bonneville Co. Ida.

Total _____ acres.

6. The date of priority which said user is prepared to establish is October 15,
1963 Sept. 21, 1962.

CARL E. TAPPAN, Acting

State Reclamation Engineer

30759

**NOTICE OF PROOF OF COMPLETION
OF WORKS
and
APPLICATION OF WATER TO
BENEFICIAL USE**

NOTICE is hereby given that at 3:00 P.M. on the 15th day of October 1963, at Idaho Falls, County of Bonneville, State of Idaho, before Eugene L. Bush, Notary Public, at Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of one cubic feet per second of the waters of Spring in Tag Alder Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30759, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Donald K. Rose, 345 East 24th Street, Idaho Falls, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is one cubic feet per second.

3. The use to which said water has been applied is domestic purposes, and the amount applied to beneficial use is one cubic feet per second.

4. The point of diversion of said water is near S $\frac{1}{2}$ corner at Section 18, Township 1 South, Range 45 E.B.M.

5. The place where said water is used is NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ at Section 17, Township 1 South, Range 45, E.B.M., Bonneville Co., Ida.

6. The date of priority which said user is prepared to establish is Sept. 21, 1962.

CARL E. TAPPAN, Acting
State Reclamation Engineer
Pub: Aug 25; Sept 1, 8, 15, 1963

August 15, 1963

Re: Permit No. 30759
Donald K. Rose

Idaho Falls Post Register,
Idaho Falls, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to October 15, 1963, the date set for proof; the expense of the publication is to be paid by the applicant, Donald K. Rose, 345 East 24th St., Idaho Falls, Idaho; to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,

CARL E. TAPPAN, Acting
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.
CET:pmk

30759

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Re: Permit No. 30759
Donald E. Rose

Date:
Aug. 1, 1963

Eugene L. Bush
Attorney at Law
Box 796
Idaho Falls, Idaho

Dear Mr. Bush:

Under the terms of your Permit No. 30759 you are required to make proofs of completion of works and application of water to beneficial use on or before Oct. 17, 1963.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper in the county.

We enclose Form 36-A in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point of points of diversion and the location of use or lands which are irrigated -- by legal description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 36-A.

At the time we send the notice to the newspaper we will send you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by the field inspection to have been irrigated at the time of proof.

Very truly yours,


CARL E. TAPAN, Acting
State Reclamation Engineer

Enc. Form 36A- 11

cc: Donald E. Rose
345 E. 24th St.
Idaho Falls, Idaho

30759

October 23, 1962

Re: Permit No. 30759
Donald K. Rose

Mr. Eugene L. Dush,
Box 796,
Idaho Falls, Idaho.

Dear Mr. Dush:

We enclose Permit No. 30759 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 31245 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl. -

cc: Donald K. Rose
345 E. 24th St.,
Idaho Falls, Idaho

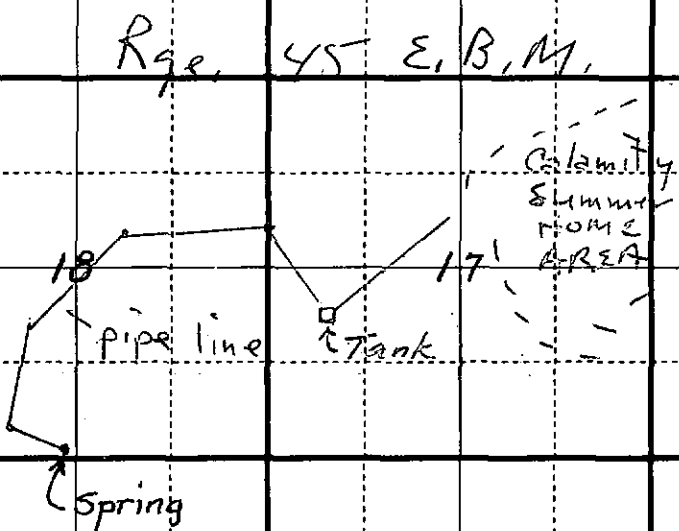
30759

NAME OF APPLICANT Donald K. Rose

Form No. 0

RECEIVED
OCT 18 1962
DEPARTMENT OF RECLAMATION

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I
S



Permit Map No. 30759
As Approved
GEO. N. CARTER, OCT 17 1962
State Reclamation Engineer

EUGENE L. BUSH

ATTORNEY-AT-LAW
Professional Building
490 Memorial Drive - P. O. Box 796
IDAHO FALLS, IDAHO

October 15, 1962

RECEIVED
OCT 16 1962

Department of Recl

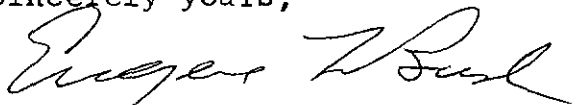
George N. Carter
State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho

Attention: Ralph W. Thomas, Deputy

Dear Sir:

Enclosed are completed sketch maps
relative to the application of Donald K.
Rose.

Sincerely yours,


Eugene L. Bush

ELB:ss

30759

October 12, 1962

Re: Application for Permit
Donald K. Reese

Eugene L. Bush
Attorney at Law
Box 796
Idaho Falls, Idaho

Dear Mr. Bush:

Enclosed are three sketch maps, one showing the spring and pipe line location, as given on the sketch from the Forest Service, one blank and the one furnished with the application.

Kindly complete the two sketch maps, showing the spring, pipe line and the area to be served.

The application has been changed to show the point of diversion near the S₁ corner of Section 18, Township 1 South, Range 45 East. Return the completed maps and the place of use will be changed on the application to agree with the maps.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

RALPH M. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. three sketch maps

30759

TELEPHONE:
522-7302

EUGENE L. BUSH
ATTORNEY-AT-LAW
PROFESSIONAL BUILDING - 480 MEMORIAL DRIVE
BOX 796 - IDAHO FALLS, IDAHO

October 10, 1962

RECEIVED
OCT 12 1962
Department of Reclamation

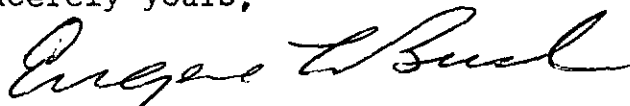
Mr. George Carter
Assistant Clerk State Reclamation Engineer
Statehouse
Boise, Idaho

Dear Mr. Carter:

The Forest Service has advised me that a Mr. Edward C. Daw of the Pocatello office forwarded you a sketch to apply on the application by Donald K. Rose relative to the Calamity Point Water User's Permit.

Would you kindly advise if this sketch will suffice for your purposes.

Sincerely yours,



Eugene L. Bush

ELB:ss

30759

October 1, 1962

Re: Application No. 38810
Donald K. Rose

Eugene L. Bush
Attorney at Law
Box 796
Idaho Falls, Idaho

Dear Mr. Bush:

We received your letter requesting forms for proofs of completion of works to be sent to Mr. Rose.

Enclosed is a blank sketch form. Kindly have Mr. Rose complete the map, showing spring location, pipe line location and place of use of the water.

The sketch supplied with the application shows only one half mile of right of way and the application shows that the pipe is about two miles long.

The Forest Service has been requested to furnish the information, however we have not received an answer.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. SENEAS, Deputy
State Reclamation Engineer

Enc. sketch map

30759

TELEPHONE:
522-7302

EUGENE L. BUSH
ATTORNEY-AT-LAW
PROFESSIONAL BUILDING - 480 MEMORIAL DRIVE
BOX 796 - IDAHO FALLS, IDAHO

RECEIVED
OCT 1 1962
Department of Reclamation

September 27, 1962

Department of Reclamation
State of Idaho
State House
Boise, Idaho

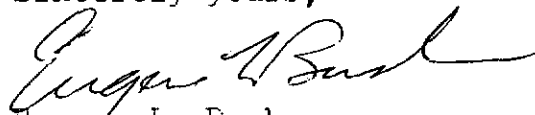
Re: Application for Permit to
Appropriate Public Water
by Donald K. Rose

Gentlemen:

Would you kindly forward forms for proof of
completion of work relative to Application for
Permit No. 38810 to Donald K. Rose.

If there are any questions about our appli-
cation for permit, please let me know.

Sincerely yours,


Eugene L. Bush

ELB:ss

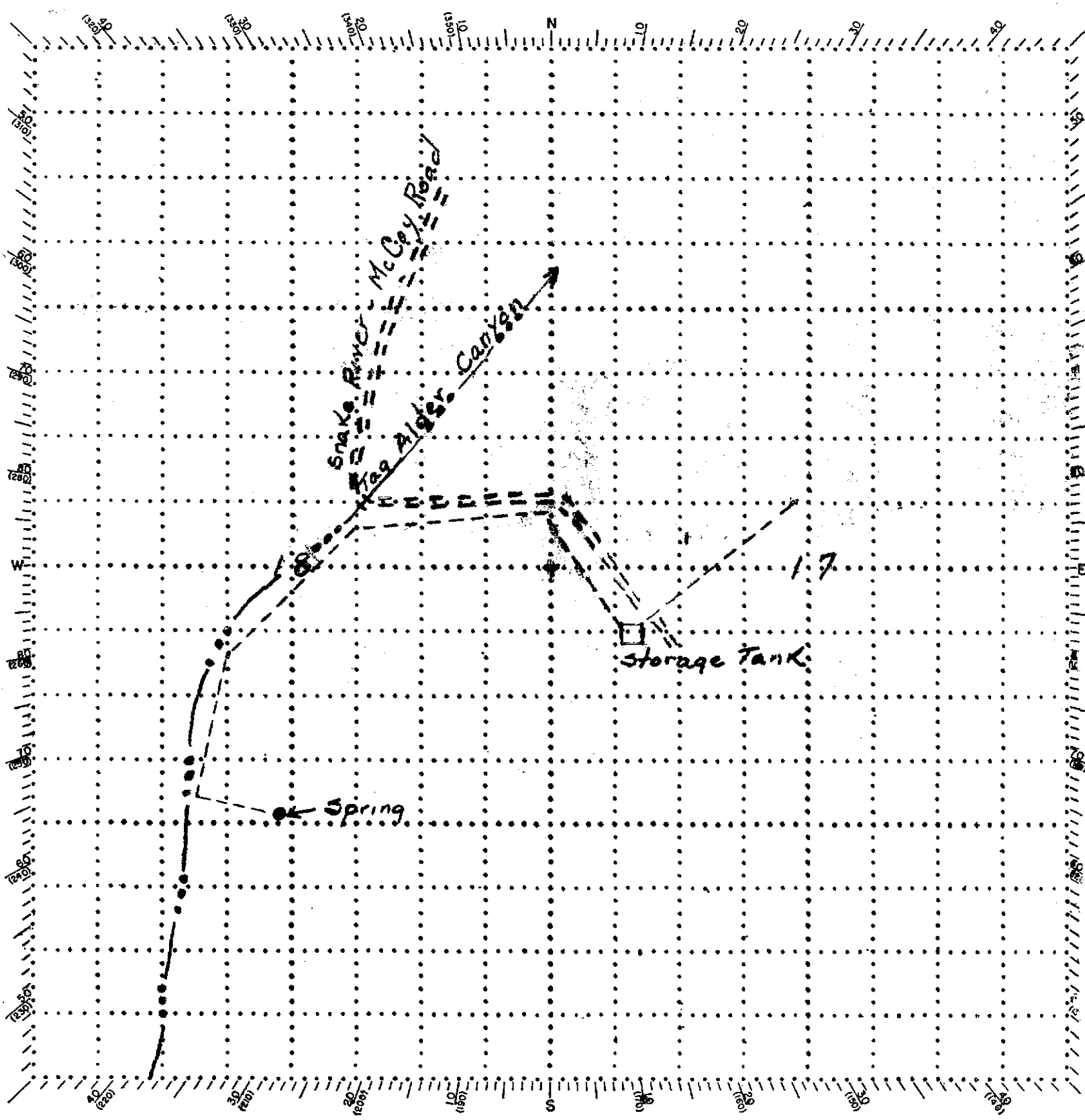
30759

Water Trans.
Donald K Rose
Calamity S.H.A.
(case designation)

DEPARTMENT OF AGRICULTURE
FOREST SERVICE
FIELD MAP SHEET

Unit Caribou N.F.

Scale 4 inches=1 mile.
T. 1 South R. 45E Sec. 17 & 18
Mag. Dec. _____ Acres _____



Field work by _____ Date _____ Platted by _____

Remarks _____

Approved _____, 19____

30759

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
CARIBOU NATIONAL FOREST
POCATELLO, IDAHO

October 1, 1962

IN REPLY REFER TO: 2710
Donald K. Rose
Water Trans. (Other than
FPC) 9/10/62

RECEIVED
OCT 2 1962

Department of Reclamation

Mr. Geo. N. Carter
State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho

Dear Sir:

Reference is made to your letter of September 21, 1962 regarding the water permit which Mr. Donald K. Rose applied for.

Enclosed is a sketch map of the location of the right-of-way from the spring to the summer home area.

If we can be of further assistance, please let us know.

Sincerely yours,

EDWARD C. MAW
Forest Supervisor

Gray M. Reynolds
By

Enclosure



Growth Through Agricultural Progress

*This map shows P.D.
Not place of use
RWS*

30759

United States Department of Agriculture Forest Service		NAME OF PERMITTEE Donald K. Rose	KIND OF USE Water Trans- mission, Other Than FPC
SPECIAL USE PERMIT Act of June 4, 1897, or February 15, 1901 This permit is revocable and nontransferable		DATE OF PERMIT August 10, 1962	FILE CODE 2710
REGION 4	STATE Idaho	FOREST Caribou	RANGER DISTRICT Idaho Falls, D-1

Permission is hereby granted to Donald K. Rose
of 345 E. 24th St., Idaho Falls, Idaho,
hereinafter called the permittee, to use subject to the conditions set out below, the following described
lands or improvements: A 10 foot right-of-way 5 foot on either side of the centerline
through S $\frac{1}{4}$, Sec. 18 and W $\frac{1}{4}$, Sec. 17, T1S, R45E., B.M. in Tag Alder Canyon to storage
tank on Tag Alder-Bear Cr. Divide and on into summer home area west of top of
Calamity Point.

This permit covers .26 acres and/or 2 miles and is issued for the purpose of:
Construction and maintenance of a water pipeline from spring in Tag Alder
Creek to approved Calamity Summer Home Area.

The exercise of any of the privileges granted hereby constitutes acceptance of all the conditions of
this permit.

1. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of
Agriculture, the sum of _____ Dollars (\$ _____) for the period
from _____ 19____, to _____, 19____, and thereafter
annually on _____ Free under Reg. U-11 _____,
_____ Dollars (\$ _____):
*Provided, however, Charges for this use may be made or readjusted whenever necessary to place the
charges on a basis commensurate with the value of use authorized by this permit.*

30759

2. Construction or occupancy and use under this permit shall begin within 1 month~~s~~, and construction, if any, shall be completed within 15 months, from the date of the permit. This use shall be actually exercised at least 8 ~~days~~ ^{mos.} each year, unless otherwise authorized in writing.

3. Development plans; layout plans; construction, reconstruction, or alteration of improvements; or revision of layout or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Timber cut or destroyed will be paid for by the permittee as follows: Merchantable timber at appraised value; young-growth timber below merchantable size at current damage appraisal value; *provided* that the Forest Service reserves the right to dispose of the merchantable timber to others than the permittee at no stumpage cost to the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

4. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

5. This permit is subject to all valid claims.

6. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

7. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

8. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the national forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

9. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

10. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

11. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

12. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner above provided is qualified as a permittee and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the issuing officer or his successor, issuance of a permit is desirable and in the public interest.

13. In case of change of address, the permittee shall immediately notify the forest supervisor.

14. The temporary use and occupancy of the premises and improvements herein described may be sublet by the permittee to third parties only with the prior written approval of the forest supervisor but the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

15. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

16. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provisions thereof, the preceding printed clauses will control.

17. This permit is accepted subject to the conditions set forth above and to conditions 13 to 22 attached hereto and made a part of this permit.

DATE	SIGNATURE OF ISSUING OFFICER	TITLE
XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

30759

18. This permit confers no right upon the permittee to the use of the water involved. Such rights must be obtained and retained under applicable State law.

19. In connection with the performance of work under this permit, the permittee agrees not to discriminate against any employee or applicant for employment because of race, religion, color, or national origin. The aforesaid provision shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The permittee agrees to post hereafter in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the non-discrimination clause.

The permittee further agrees to insert the foregoing provision in all subcontracts hereunder, except subcontracts for standard commercial supplies or raw materials.

20. Permittee will repair any damage to our present water system leading from a spring in the same general area to the Calamity Campground.

21. Permittee will seed grass and put in erosion control measures, etc. as deemed necessary by the Forest Officer in charge in order to control erosion on this right of way.

22. This permit shall have no force and effect until the permittee has signified acceptance of its provisions and conditions by signing below and returning the duplicate copy to the forest supervisor.

August 10 1962
(Date)

Graydon Reynolds
(By)

Richard Forest Supervisor
(Title)

I have read the foregoing permit and agree to accept and abide by its terms and conditions.

August 17 1962
(Date)

Donald H. Rose
(Permittee)

(By)

(Title)

30759

September 21, 1962

RE: Application for Permit
Donald K. Rose

Supervisor
Caribou National Forest
Post Office Building
Pocatello, Idaho

Dear Sir:

Donald K. Rose has applied for a water permit to appropriate the waters of the State of Idaho.

He has presented, through his agent, a Special Use Permit, your File Code 2710, for the use of a right-of-way in Caribou National Forest, Idaho Falls District, D-1, described as follows:

"Permission is hereby granted to Donald K. Rose of 345 E. 24th., Idaho Falls, Idaho hereinafter called the permittee, to use subject to the conditions set out below, the following described lands or improvements: A 10 foot right-of-way 5 feet on either side of the centerline through S₁, Sec. 18 and W₁, Sec. 17, T1S, R45E., 3.11. in Tag Alder Canyon to storage tank on Tag Alder-Bear Cr. Divide and on into summer home area west of top of Calamity Point."

We would appreciate receiving a sketch map of the location of above right-of-way spring.

Thank you for this courtesy and cooperation.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer
By

H. Petri
Water Rights Clerk

HP:mr

30759